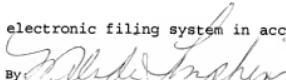


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
SHUICHI MIZUNO, ET AL.)
Serial No.: 10/626,459) Group Art Unit: 1657
Filed: JULY 22, 2003) Examiner: NAFF, DAVID
For: METHOD FOR GROWTH AND DE NOVO) Confirmation No.: 2554
FORMATION OF A SUPERFICIAL) Customer No.: 23308
CARTILAGE LAYER IN SITU AND FOR)
REPAIR OF DAMAGED CARTILAGE USING)
NEO-CARTILAGE CONSTRUCTS)

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

<p>CERTIFICATE OF MAILING or FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8(a)(1), or ELECTRONIC FILING UNDER 37 C.F.R. § 1.8(a)(1)(C) I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being</p>	
<p>deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria Virginia, 22313-1450,</p>	
<p>facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.</p>	
<p>✓ transmitted via the Office electronic filing system in accordance with §1.6(a)(4)</p>	
<p>Dated: <u>July 23, 2008</u></p>	
<p>By:  Name: <u>Melinda Tompkins</u> Printed Name: _____</p>	

AMENDMENT

This Amendment and Remarks are filed in response to the Non-Final Office Action dated February 26, 2008, wherein claims 38-48 are rejected.

Amendment to the claims begin on page 3.

Remarks and Arguments begin on page 7.

This Amendment is being filed with an EFS-WEB Transmittal Form, Terminal Disclaimer to Obviate a double Patenting Rejection Over a Prior Patent, Petition for Extension of Time (2 months) and Amendment. Commissioner is authorized to charge the fees due for the Terminal Disclaimer and the Petition for Extension of Time to Peters Verny, LLP Deposit Account No. 16-1331. It is not believed that any other fees are due with the filing of this paper. However, if Commissioner determines that additional fees are due, Commissioner is authorized to charge such additional fees to Peters Verny, LLP Deposit Account No. 16-1331.